

Forensic Video Analysis Brief
November 30th, 2019

McCourt Video Analysis and Investigation Inc

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Brief
Re: Julie Hamstead v Former Trooper D.R. Walker

My name is Conor McCourt. I am a professionally trained, court certified and experienced Forensic Video Analyst and New York State licensed Private Investigator. I am the owner of McCourt Video Analysis and Investigations Inc. I have attached my CV for review.

I have prepared the following forensic video brief with images in a word format. Images contained in the report are for reference only. This report will be saved as a PDF for review.

I was contacted by Attorney Braun Hamstead on May 30th, 2019 to examine, review and forensically analyze digital video images of an incident that had occurred on April 25, 2016 in the American Public University System Parking Lot in West Virginia. I was asked to compare the videos provided to me by APUS and attorney Braun Hamstead.

I used a forensic video software tool called INPUTACE to properly examine the video in question.

I was asked to answer the following:

- 1) Is the video footage on the flash drive which Attorney Braun Hamstead sent to me on May 30th, 2019 the exact same video footage, a true replica, subsequently provided to you directly by American Public University?
- 2) Are the date and times displayed in all the visual time stamps in the video submitted concurrent? Are the relative times depicted on the video footage accurate?
- 3) Do data markers exist on the footage provided by APUS which indicate the date/time this data was manipulated or saved indicated? If so, could you please give the dates/times of such event, when footage was modified and/or saved for each of the three portions of video footage which APUS provided?

As to question one. I digitally examined the three files submitted by Mr Braun to me and the three files submitted to me by APUS and they are digital duplicates, and are exactly the same.

Name	Date	Type	Size	Length	Date modified
▲ 0 - 2016-04-25 16-17-00-074	5/6/2016 9:27 AM	ASF Video File (VLC)	67,175 KB	00:13:00	5/6/2016 9:27 AM
▲ 0 - 2016-04-25 16-17-00-118	5/6/2016 9:37 AM	ASF Video File (VLC)	306,377 KB	00:42:59	5/6/2016 9:37 AM
▲ 0 - 2016-04-25 16-29-27-088	5/2/2016 2:37 PM	ASF Video File (VLC)	175,427 KB	00:34:23	5/2/2016 2:37 PM

As to question two, the submitted videos are from the same system and have the same time stamp configuration. A time stamp displayed on one camera view would represent same on the time on the other. So if one view displayed 16:17:43 the other view would display 16:17:43 as well, if it was the same actual time. The accuracy of the time is not verified but the displayed time would be concurrent and reflect the “same real world point in time” in both views.

Additionally, the elapsed time on the video matches the elapsed time recorded by the timestamp in all the files. So, if 10 minutes elapsed according to the playback timeline of the video, the timestamp would reflect that same time period as well. There is no indication of gaps in the time sequence. The time indicates that if for example ten minutes has elapsed according to the time stamp, then ten minutes has elapsed in the real world. This is regardless of the actual accuracy of the time stamp in it's relationship with the actual time zone its recorded in.

Name	Date	Type	Size	Length	Date modified
▲ 0 - 2016-04-25 16-17-00-074	5/6/2016 9:27 AM	ASF Video File (M4V)	67,175 KB	00:13:00	5/6/2016 9:27 AM
▲ 0 - 2016-04-25 16-17-00-118	5/6/2016 9:37 AM	ASF Video File (M4V)	306,377 KB	00:42:59	5/6/2016 9:37 AM
▲ 0 - 2016-04-25 16-29-27-008	5/2/2016 2:17 PM	ASF Video File (M4V)	175,427 KB	00:34:23	5/2/2016 2:37 PM

As to question three, metadata indicates that the first two files were modified and/or downloaded on 5/6/2016. The third file listed was modified and/or downloaded on 5/2/2016.

Complete name: 330 Aux Lot\330\0 - 2016-04-25 16-17-00-074.asf
 Format: Windows Media
 File size: 65.6 MiB
 Duration: 13mn 0s
 Overall bit rate mode: Variable
 Overall bit rate: 705 Kbps
 Maximum Overall bit rate: 1 383 Kbps
 Encoded date: UTC 2016-05-06 13:25:36.251

Complete name: 330\0 - 2016-04-25 16-17-00-118.asf
 Format: Windows Media
 File size: 299 MiB
 Duration: 42mn 59s
 Overall bit rate mode: Variable
 Overall bit rate: 973 Kbps
 Maximum Overall bit rate: 1 961 Kbps
 Encoded date: UTC 2016-05-06 13:31:03.598

Complete name: 330\0 - 2016-04-25 16-29-27-088.asf

Format: Windows Media

File size: 171 MiB

Duration: 34mn 23s

Overall bit rate mode: Variable

Overall bit rate: 696 Kbps

Maximum Overall bit rate: 1 389 Kbps

Encoded date: UTC 2016-05-02 18:33:27.962

These findings and opinions are to a reasonable degree of scientific certainty in the field of forensic video analysis. I reserve the right to change my opinion based on any new evidence or submission.

Submitted respectfully,



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Summary

Forensic video professional with over 25 years of experience in the fields of video production, law enforcement, and video analysis, expertly trained to deliver the latest techniques and consultative services in forensic video technology.

McCourt Video Analysis and Investigations, Inc., 2002-present

President, Court Certified Forensic Video Technician, NYS Licensed Private Investigator

Offer expert forensic video analysis and consulting services, while employing the latest techniques and technology, to render, clarify and explain images captured by digital and analog CCTV.

Skilled at assisting clients to swift, cost-effective resolution of incidents captured on surveillance systems by applying specially developed clarification process.

Professionally trained instructor and lecturer:

- LEVA (Law Enforcement Video Association Intl.)
 - LEVA Member
 - Instructor, Digital Video Recovery, Chicago, IL-Oct 2003
 - Instruction Team, Forensic Video Analysis & the Law, for national law enforcement community-FBI Academy, Quantico & Indianapolis University 2003-2009
- Guest instructor at the New York State Police Forensic Investigative Center-Albany, October 2004

New York City Police Department, New York, NY 1992-2009

- Awarded Police Commissioner's Award for Police Academy's highest academic achievement, 1992
- Worked in various police precincts, units, and capacities in first 10 years

Sergeant, Counterterrorism, Lower Manhattan Security Initiative, 2008-2009

- Supervised Detectives gathering video and related data at NYPD Command Center

Sergeant, Technical Unit, 2001-2005

- Developed specialized sub-group dedicated to forensic video services
- Supervised and performed video recovery and clarification work for NYC
- Process and supervise thousands of criminal cases involving video evidence
- Assisted and supervised detectives in solving numerous high-profile NYC cases

Consulting, TV, and media highlights:

- *HBO Documentary, "Who killed Garrett Phillips?" Video Expert, 2019*
- *Sirius XM, Interview on John Fugelsang's "Tell Me Everything" 2018*
- *Science Channel, On Air Expert "Strange Evidence" 2016 – Present*
- *Inside Edition, On Air Security and Video Expert 2012 ~ Present*
- *13 Ways of Looking – Crime novel by C. McCann, Expert Consultant 2015*
- *Feature Documentary, "Missing People" 1978 Cold Case Murder, 2015*
- *BBC TV, On Air Security Expert at Ground Zero 2013*
- *Hidden Identities Educational Alliance Panel, NYC March 2011*
- *Good Morning America, Showtime, MTV, CBS, FOX, Kenny Live TV show, NY1, RTE TV, NY Times, NY Daily News, NY Post, Irish Times, Irish Echo, WBAI, and more, 1996 - Present*
- **Romeo & Juliet Productions, Inc., New York, NY, 1995-2002**
President /Director/ Producer
 - Developed independent film-production company
 - Major Productions Included:
The McCourts of Limerick, 1997 HBO/Cinemax and Worldwide
The McCourts of New York, 1998 HBO/Cinemax and Worldwide
Documentaries chronicling the lives of four Irish brothers and their family.
- **Four Cops, 1999**
Documentary chronicling 4 individual Police Officers while on duty in 4 diverse locations: Indonesia, Philadelphia, Brazil and Ireland

OTHER FILM AND VIDEO EXPERIENCE:

ENG News Service, New York, NY 1989-1992

Full time news cameraman covering breaking news in the five boroughs supplying video for all New York City news stations

Film and Television Production, 1987-1991

Worked on over forty major film and television shows including work as Associate Producer on *America's Most Wanted*

EDUCATION:

John Jay College of the City University of New York, New York, NY 1995-1996
Undergraduate studies in Criminal Justice

New York University, Tisch School of the Arts, New York, NY 1983-1987
Undergraduate studies in Film & Television.

TRAINING:

LEVA: Law Enforcement Video Association

Forensic Video Analysis and the Law- 2002
Photographic and Image Comparison - 2009
Processing Digital Multimedia Evidence- 2010
Advanced Video Forensics and the Law- 2010
FFMPEG - 2016

Counterterrorism:

Building Design for Homeland Security 2008
Command Center Digital Video IBM/NYPD 2008
Video Analytics 2009
Maritime Security 2009 MPACT
Maritime Infrastructure Protection NYPD 2009

Other

INPUT ACE Forensic Video Software -2016/2017/2018/2019

CONOR Mc COURT

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- Qualified as court Expert Witness in Forensic Video Analysis, cases include:
 - People of State NY v. Jose Ortiz (Indictment # 3891-01)
 - People of State NY v. Carlos Lazardi(Indictment # 2891-02)
 - People of State NY v. Wayne Braga (Indictment # 599-03)
 - People of State NY v. Darren Felix (Indictment # 3449/03)
 - Westchester County v. John Doe, Grand Jury (File # 2004EC-0031)
 - People of State NY v. Jermaine Parker (Indictment # 00255-04)
 - People of State NY v. Anthony Neville (Indictment # 3193/04)
 - People of State NY v. Roger Woods (Indictment# 5906/04)
 - People of State NY v. Jose Cruz (Indictment # 1561-04)
 - People of State NY v. Charles Bryant (Indictment # 606/04)
 - People of State NY v. Jessie Emmanuel (Indictment # 784/04)
 - People of State NY v. Wm Bronson (Indictment #1100-05)
 - People of State NY v. Sherland (2005)
 - People of State NY v. Capehart (Indictment # 1604-05)
 - People of State NY v. Richard Lawlor (2005NY065788)
 - People of State NY v. Herve Jannot (167N2005) Fall 2010 (Murder)
 - Carmen DeMalleo v. One Columbus Place Partners LLC (Civil) Index 18498/2010 (Judge King) 2014 Kings Supreme (Hearing) December 2013
 - Soliman Al-Nobani v. Nev Yellow Cab Corp/Yellow Checker Star Video Deposition Las Vegas 2.24.2016
 - Shenouda v Shenouda Family Court Bergen County NJ March, 2016
 - People State of NY v. Caleca Queens Supreme Criminal Court, 2018 Judge LoPresto (Att Murder)
 - State of Florida v Mario Figueroa Circuit Court of the 11th Judicial Circuit Judge Michael Barket, 1/23/2019 Case M18-12868 (Assault)
 - State of New Hampshire v Heredia Docket #216-18-CR-872 Superior Court Manchester 2/7/2019 (Att Murder)
 - State of New Hampshire v Heredia Docket #216-18-CR-873 Superior Court Manchester 10/29/2019 Assault